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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**RICHARD L. CARRIZOSA and MARY
PEAS, on behalf of themselves and others
similarly situated,**

Plaintiffs,

vs.

PAUL R. STASSINOS, et al.

Defendants.

CIV. NO. 05-CV-2280 RMW

CLASS ACTION

**ORDER DEFERRING CLASS NOTICE
AND STAYING ACTION AGAINST
STASSINOS**

The Court has preliminarily approved a settlement of the claims against Paul R. Stassinis in the above-entitled action. In the settlement defendant Stassinis and the plaintiffs have stipulated that actual and statutory damages total \$153,363.43. The parties will resolve the amount of reasonable attorneys' fees and costs by stipulation or by an motion for reasonable attorneys' fees and costs filed with this Court. In light of the pending Stassinis bankruptcy action which may result in a complete

1 discharge of liability, with all monetary terms of the settlement preliminarily approved, and good cause
2 appearing therefore,

3 IT IS HEREBY ORDERED that the issue of sending class notice, and final settlement approval
4 are deferred pending completion of the adversary proceeding, *Carrirosa v. Stassinis*, A.P. No. 09-
5 02752, filed in *In re Stassinis*, Bankruptcy Case No. 09-37029-C-7, (U.S.B.C-E.D. Cal.). No purpose
6 is served by notifying class members of the proposed class settlement, since it is impossible to provide
7 meaningful notice given the pending bankruptcy proceeding. Within forty-five days of the date of this
8 Order, either the parties shall file a stipulation setting the amount of reasonable attorneys' fees and
9 costs for the proceedings to day, or plaintiffs shall file a motion for reasonable attorney's fees and
10 costs. With the exception of the issue of attorneys' fees and costs, this action is stayed as against
11 defendant Stassinis only. The action will proceed against the other defendants.

12 Once proceedings in the bankruptcy court are concluded, if plaintiffs have prevailed in the
13 bankruptcy court, they may return to this Court to decide class notice issues, for final settlement
14 approval and for any other appropriate action necessary to concluding this matter against defendant
15 Stassinis. If debtor Stassinis prevails in the bankruptcy court and obtains a complete discharge, the
16 plaintiffs shall notify the Court and the action will be dismissed as against Stassinis.

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19 DATED: June 11, 2010


Hon. Ronald M. Whyte, Judge
United States District Court